

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 72

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES RICHARDSON (Sponsor), JONES (110), STREAM, FITZPATRICK, HAEFNER, MCCAHERTY, HANSEN, BERRY, HOUGHTON, CIERPIOT, DIEHL, ROWDEN, LICHTENEGGER, ENTLICHER, PFAUTSCH, ROSS, RHOADS, AUSTIN, HAMPTON, SOLON, GANNON, CURTMAN, DOHRMAN, PIKE, LYNCH, LAIR, FRANKLIN, HOSKINS, FLANIGAN, BARNES, WILSON, JONES (50) AND HICKS (Co-sponsors).

5412H.011

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 27 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the governor's authority to withhold funds.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2014, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article IV of the Constitution of the state of Missouri:

Section A. Section 27, article IV, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 27, to read as follows:

Section 27. 1. The governor may control the rate at which any appropriation is expended during the period of the appropriation by allotment [or other means,] and may reduce the expenditures of the state or any of its agencies below their appropriations whenever the actual revenues are less than the revenue estimates upon which the appropriations were based. **The governor shall not reduce any appropriation for the payment of principal and interest on the public debt.**

2. **The governor shall notify the general assembly by proclamation whenever the rate at which any appropriation shall be expended is not equal quarterly allotments, the**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 sum of which shall be equal to the amount of the appropriation. Any rate of expenditure
10 for any appropriation which is not equal quarterly allotments shall stand reconsidered in
11 the chamber in which the bill that contained the appropriation originated. Such
12 reconsideration shall be in the manner that a bill is reconsidered under article III, section
13 32. Either the general assembly that receives the proclamation or the next general
14 assembly may reconsider the rate of expenditure for the appropriation in question that is
15 assumed to be equal quarterly allotments. Such reconsideration may be at any time the
16 general assembly is in session including sessions pursuant to article III, sections 20, 20(b),
17 and 32 and article IV, section 9. Either the general assembly that receives the
18 proclamation or the next general assembly may reconsider such allotment allocation
19 change. Such reconsideration may be at any time the general assembly is in session
20 including sessions pursuant to article III, sections 20, 20(b), and 32 and article IV, section
21 9.

22 3. The governor shall notify the general assembly by proclamation when the
23 governor reduces one or more items or portions of items of appropriation of money as a
24 result of actual revenues being less than the revenue estimates upon which the
25 appropriations were based. Each item or portions of items of appropriation of money shall
26 stand reconsidered in the chamber in which the bill that contained the appropriation
27 originated. Such reconsideration shall be in the manner that a bill is reconsidered under
28 article III, section 32. Either the general assembly that receives the proclamation or the
29 next general assembly may reconsider such reduction. Such reconsideration may be at any
30 time the general assembly is in session including sessions pursuant to article III, sections
31 20, 20(b), and 32 and article IV, section 9.

Section B. Pursuant to Chapter 116, RSMo, and other applicable constitutional
2 provisions and laws of this state allowing the General Assembly to adopt ballot language for the
3 submission of a joint resolution to the voters of this state, the official ballot title of the
4 amendment proposed in Section A shall be as follows:

5 “Shall the Missouri Constitution be amended to require the governor to pay the public
6 debt and to provide a legislative check on the governor’s decisions to restrict funding for
7 education and other state services?”

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